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| | TES DISTRICT COURT |
| | FRICT OF CALIFORNIA |
| WESTI | ERN DIVISION |
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| JOSEPH L. SHALANT, |) Case No. LA CV 16-01069-VBF-PLA |
| | ORDER |
| Plaintiff, v. | Overruling Plaintiff's Objections; Adopting Report & Recommendation; |
| v. |) Granting Defendants' Motion to Dismiss; |
| STATE BAR OF CALIFORNIA, |) Dismissing the SAC With Prejudice; |
| Defendants. |) Directing Entry of Separate Final Judgment; |
| | Terminating and Closing the Action (JS-6) |
| | |
| | e Court has reviewed the Second Amended Complaint |
| | 25); defendants' corrected motion to dismiss and |
| 1 , 5 | ion (Docs 27-29); plaintiff's opposition brief and |
| | udicial notice (Docs 34-36); plaintiff's supplemental |
| opposition brief (Doc 40; defendants' reply brief (Doc 38); defendants' objections to plaintiff's | |
| request for judicial notice (Doc 39); plaintiff's sur-reply brief (Doc 48); the Report and | |
| • | October 5, 2016 (Dec 44): plaintiffs abjections to the |
| r. /2(b)(1) and 28 U.S.C. § 636(b)(1)(B) on (| October 5, 2016 (Doc 44); plaintiff's objections to the |
| | |

R&R (Doc 47), the defendants' response to those objections (Doc 54); and the applicable law. Plaintiff did not submit or seek leave to file a reply to defendants' response to objections.

"As required by Fed. R. Civ. P. 72(b)(3), the Court has engaged in de novo review of the portions of the R&R to which petitioner has specifically objected and finds no defect of law, fact, or logic in the . . . R&R." *Rael v. Foulk*, No. LA CV 14-02987 Doc. 47, 2015 WL 4111295, *1 (C.D. Cal. July 7, 2015), *COA denied*, No. 15-56205 (9th Cir. Feb. 18, 2016).

"The Court finds discussion of [the] objections to be unnecessary on this record. The Magistrates Act 'merely requires the district judge to make a de novo determination of those portions of the report or specified proposed findings or recommendation to which objection is made." It does not require the district judge to provide a written explanation of the reasons for rejecting objections. *See MacKenzie v. California AG*, No. SA CV 12-00432, 2016 WL 5339566, *1 (C.D. Cal. Sept. 21, 2016) (Fairbank, J.) (quoting *United States ex rel. Walterspiel v. Bayer AG*, 639 F. App'x 164, 168-69 (4th Cir.) (per curiam) ("The district court complied with this requirement. Accordingly, we find no procedural error in the district court's decision not to address specifically Walterspiel's objections."), *cert. denied*, – U.S. –, 137 S. Ct. 162 (2016)) (brackets & quotation marks omitted). This is particularly true where, as here, the objections are plainly unavailing.

Accordingly, the Court will accept the Magistrate Judge's factual findings and legal conclusions and implement his recommendations.

ORDER

Plaintiff Shalant's objection [Doc #47] is OVERRULED.

The Report and Recommendation [Doc #44] is ADOPTED.

Defendants' motion to dismiss the Second Amended Complaint [Doc # 26] is GRANTED.

The Second Amended Complaint [Doc #25] is DISMISSED with prejudice.

Document #30 is DENIED as moot.

Final judgment will be entered in favor of defendants consistent with this order. "As required by Fed. R. Civ. P. 58(a), the Court will enter judgment by separate document." *Toy v. Soto*, 2015

| 1 | WL 2168744, *1 (C.D. Cal. May 5, 2015) (Fairbank, J.) (citing <i>Jayne v. Sherman</i> , 706 F.3d 994 | |
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| 2 | 1009 (9th Cir. 2013)) (n.1 omitted), COA denied, No. 15-55866 (9th Cir. Jan. 20, 2016). | |
| 3 | | |
| 4 | This action is DISMISSED with prejudice. | |
| 5 | The case SHALL BE TERMINATED and closed (JS-6). | |
| 6 | Dated: Thursday, December 29, 2016 Laleue Baker Fairbank | |
| 7 | Dated: Thursday, December 29, 2016 Valeue taker 14000000000000000000000000000000000000 | |
| 8 | Valerie Baker Fairbank | |
| 9 | Senior United States District Judge | |
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